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April 26, 2013

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street SW
Room TW-A325
Washington, DC 20554

Re: Petition, Petition For Waiver, *Nunc Pro Tunc*, Of North Central Telephone Cooperative, Inc. Of The Revision to Section 35.605 of the Commission's Rules That Eliminated Eligibility of Local Exchange Carriers to Receive Safety Net Additive Support. WC Docket Nos. 10-90 et al. Ex Parte Notice

Dear Ms. Dortch:

On April 24, 2013 Nancy White, Johnny McClanahan, Bruce Marrett, Michael Romano and I, on behalf of North Central Telephone Cooperative, Inc.; and Michael Romano representing NTCA – The Broadband Association participated in the following four separate meetings to discuss the above captioned Petition: Angela Kronenberg and Rebekah Goodheart in the office of Commissioner Clyburn; Priscilla Argeris in the office of Commissioner Rosenworcel; Nick Degani in the office of Commissioner Pai; and Travis Litman, Joseph Sorresso and Ian Forbes in the Wireline Competition Bureau.

In each meeting the North Central representatives discussed the attached set of Power Point Slides and the attached maps of the cooperative's Tennessee and Kentucky service areas. North Central explained that its business plan was carefully drafted to meet the broadband build-out requirements of its ARRA(BIP) and RUS traditionally funding in a cost efficient manner. The loss of Safety Net Additive support expected to begin in February 2012 required North Central to defer making a number of significant investments which would have increased broadband availability in very rural areas, increased broadband adoption rates, and resulted in lower operating costs.

We further observed that granting the North Central waiver for investment-qualified Safety Net Additive support for costs incurred in 2010 would be equitable given that those who

had obtained Safety Net Additive as a result of line loss in 2009 or earlier were by contrast given a multi-year phase-down of such support. It is also worth noting that, in the Commission's own words in the Transformation Order, those who obtained Safety Net Additive based upon qualifying investments made in 2009 and earlier "should continue to receive such support for the remainder of their eligibility period, consistent with the original intent of the rule" – thus highlighting the inequitable nature of the "flash-cut" affecting North Central simply because its qualifying investments were realized in 2010 rather than 2009.

Because each of these results is directly inconsistent with the objectives of the *Transformation Order* waiver is appropriate and in the public interest.

Please direct any question in this matter to me.

Sincerely yours

David Cosson

Counsel to North Central Telephone Cooperative, Inc.

Attachment

cc: Angela Kronenberg
Rebekah Goodheart
Priscilla Argeris
Nicholas Degani
Travis Litman
Joseph Sorresso
Ian Forbes